

## **REMARKS**

Claims 13-29 were pending in the application at the time of the Office Action. The claims have not been amended herein. As such, claims 13-29 are again presented for the examiner's consideration. Claims 13-29 were rejected in the Office Action on the grounds of non-statutory obviousness-type double patenting as being unpatentable over claims 1-12 of U.S. Patent No. 7,025,932 and claims 1-22 of U.S. Patent No. 7,014,813. Applicant filed concurrently with this response a terminal disclaimer that disclaims the term of any patent that issues on the present application that would extend beyond the term of the '932 patent and the '813 patent. In view of the terminal disclaimer, applicant respectfully requests that the non-statutory obviousness-type double patenting rejections be withdrawn.

No other objections or rejections are set forth in the Office Action.

On June 21, 2004, applicant filed a Second Supplemental Information Disclosure Statement in the present application. Receipt of the Information Disclosure Statement is confirmed by virtue of the fact that it is recorded on the PAIR system. However, applicant has not received a copy of the corresponding form PTO-1449 initialed by the Examiner. Accordingly, attached is a copy of the previously filed form PTO-1449 listing the references cited in the Second Information Disclosure Statement. Applicant respectfully requests that the Examiner initial each of the cited references and return a copy of the initialed form to the applicant, thereby acknowledging consideration of each of the references. In reviewing the foreign references recorded in PAIR, all of the foreign references cited on the form PTO-1449 are recorded in PAIR except that applicant was unable to locate Japanese Document No. 2000-513247 listed as reference 10. As such, attached is a duplicate copy of the previously submitted reference. Applicant also notes that Japanese Document No. 2000-513247 (listed as references 12 in the IDS) is recorded in PAIR under an abstract for US Patent No.

6,077,480 which is equivalent to the Japanese document. Although applicant believes that no fee should be required for consideration of the IDS, the Patent Office is hereby authorized to change any required fee for consideration of the IDS to applicant's deposit account as set forth in the Authorization to Charge Deposit Account filed concurrently herewith.

In view of the foregoing, applicant respectfully requests the Examiner's reconsideration and allowance of claims 13-29 as presented herein.

In the event there remains any impediment to allowance of the claims which could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate such an interview with the undersigned.

Dated this 13<sup>th</sup> day of November 2006.

Respectfully submitted,

/Dana L. Tangren/ Reg. # 37246  
DANA L. TANGREN

Attorney for Applicant  
Registration No. 37,246  
Customer No. 022913  
Telephone No. 801.533.9800

DLT:saw:dfw  
W:\15568\NDFW0000020437V001.DOC